

HCAAC's objections to HGY/2023/2890

These are the objections of Highgate Conservation Area Advisory Committee ("HCAAC") to the above application for the erection of a boundary wall (following demolition of an existing boundary wall) at Oakleigh, 42 Hampstead Lane, N6 4LL.

The application should be refused for the reasons stated herein.

The applicant makes no mention whatsoever of the Highgate Neighbourhood Plan. Policy DH6: Front Boundaries of that plan provides as follows:

"Original boundary walls, gate piers or railings should be retained unless their removal is necessary due to the condition of a structure, or replacement provision is proposed which would enhance the character of the area. In areas where matching and similar boundary walls form a recognizable part of the streetscape, for example clinker walls in Cromwell Avenue, replacements should be reinstated to match the originals. New boundary walls requiring planning permission, and gated developments will not be permitted if they:

- I. Have a detrimental impact on the open character of the street-scene; or
- II. Result in the unnecessary removal of mature hedges or natural features which have a positive impact on the character of the local area;
- III. Would result in a loss of visual permeability or public accessibility where this contributes to local character."

The proposed removal of the open low wall with railings affording visual permeability and its replacement with a high wall will have a detrimental impact on the open character of the street-scene together with a loss of the visual permeability which contributes to local character. What is proposed is precisely why Policy DH6 was introduced as is set out in the explanatory wording to the policy.

The applicant relies upon Section D of Policy DM9: Management of the Historic Environment of the Haringey Development Management DPD which provides as follows:

"Subject to (A-C) above the Council will give consideration to, and support where appropriate, **proposals for the sensitive redevelopment of sites and buildings** where these detract from the character and appearance of a Conservation Area and its setting, provided that they are **compatible with and/or complement the special characteristics and significance of the area.**" (emphasis added)

The applicant has failed to demonstrate compliance with Sections A to C of Policy DM9. Further, even if Section D were applicable, which it is not, the proposals are not sensitive nor are they compatible with and/or complement the special characteristics and significance of the area. It is not surprising, therefore, that the applicant has not even attempted to justify, by reference to the context of the area, that the proposals are sensitive, compatible and/or complementary. Simply asserting a position, without any substantiation, is not good enough.

The significance of the Conservation Area and compliance with Policy DM9 is fully understood by the Council. This is evident from the comments of its Design Officer and Conservation Officer in respect of two applications for non-material amendments to the permission granted on 15 January 2021. Both of those applications were refused by the Council.

Further, the walls to 30/31, 32 and 38 Hampstead Lane cited by the applicant cannot be relied upon for context in that they are on the other side of Compton Avenue many metres away from 42 Hampstead Lane. Likewise, the fencing to the Kenwood House land has no relevance to proposals for a brick wall to a residential building.

The true context which should have been provided by the applicant is all the properties on Hampstead Lane between Courtenay Avenue and Compton Avenue (including 42 Hampstead Lane). Numbers 46, 44, 42 and 40 Hampstead Lane each have low brick walls and railings. This homogenous, open pattern of construction with low brick walls and railings is repeated on the properties further down Hampstead Lane between The Bishops Avenue and Winnington Road. The intervening area between The Bishops Avenue and Courtenay Avenue is, of course, not residential, being taken up by Highgate School's Far Field.

In addition, the applicant seeks to rely upon the wall at 38 Hampstead Lane to bolster its proposal for a wall higher than 2m. The front wall elevation, as proposed, drawing submitted with HGY/2014/1685 shows that the wall at 38 Hampstead Lane is not higher than 2m.

For all the reasons set out herein, the application should be refused by the Council.